



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
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June 14, 2021

By ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *New York v. Mayorkas, et al.*, No. 20 Civ. 1127 (JMF) (S.D.N.Y.)
Lewis-McCoy, et al. v. Mayorkas, et al., No. 20 Civ. 1142 (JMF) (S.D.N.Y.)

Dear Judge Furman:

This Office represents the defendants in the above-referenced actions. We write jointly with the plaintiffs to provide the Court with an update on the status of settlement discussions, in accordance with the Court's May 14, 2021 order. Dkt. No. 146.¹ As discussed below, the parties agree that we would benefit from additional time to discuss a potential resolution of this matter. Accordingly, we propose to file a joint status letter informing the Court on our progress by July 14, 2021.

Following the Court's May 14, 2021 status conference, on May 28, 2021, plaintiffs in the *Lewis-McCoy* matter circulated a settlement proposal to the defendants. In response to requests for additional information concerning proposed attorneys' fees, the *Lewis-McCoy* plaintiffs provided billing records on June 3, 2021, and biographical information regarding the attorneys who litigated the *Lewis-McCoy* case on June 7, 2021. Similarly, the State of New York provided a settlement proposal, billing records, and biographical information on June 4, 2021.

The defendants are now reviewing the plaintiffs' billing records to evaluate the plaintiffs' settlement proposals. Once the defendants have completed this review, the parties will confer and determine whether there is a path forward to a consensual resolution. The parties agree that we would benefit from additional time to continue discussions and to formalize any agreement that may result.

¹ Docket numbers refer to the docket of *New York v. Mayorkas*, No. 20 Civ. 1127 (JMF) (S.D.N.Y.).

We thank the Court for its attention to this matter.

Respectfully submitted,

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